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The Wyoming Department of Agriculture is dedicated to the promotion and enhancement of Wyoming's agriculture, natural resources and quality of life.

December 23, 2015

David Whittekiend
Uinta-Wasatch-Cache National Forest Supervisor
857 West South Jordan Parkway
South Jordan, UT 84095

Dear Mr. Whittekiend,

Following are the Wyoming Department of Agriculture's (WDA) comments pertaining to scoping for the High Uintas Wilderness Domestic Sheep Analysis on the Ashley National Forest and the Uinta-Wasatch-Cache National Forest (Forest).

Our comments are specific to our mission within state government: dedication to the promotion and enhancement of Wyoming's agriculture, natural resources, and quality of life. As this project impacts our agriculture industry, our natural resources, and the welfare of our citizens, we believe it is important you continue to inform us of proposed actions and decisions, including appeals and objections, and continue to provide us the opportunity to express pertinent issues and concerns.

The project analysis area includes Uinta County, Wyoming and Duchesne and Summit Counties, Utah. As a result, this decision will directly impact Wyoming producers, thus WDA formally requests to serve as a Cooperating Agency for all future planning meetings, as well as development of draft alternatives pertaining to these allotments. We offer the following comments for inclusion in the upcoming National Environmental Policy Act (NEPA) process.

WDA supports the Forest's decision to re-scope the project as an Environmental Impact Statement (EIS) instead of an Environmental Assessment. We believe the number of issues and impacts associated with this decision warrants a more comprehensive analysis.

There are numerous forests within Region 4 implementing a Risk Assessment Model (Model) for bighorn and domestic sheep. WDA has not seen the results of the Model for the proposed project area, but would request this information to help us better understand the possible conflict between bighorn and domestic sheep. In addition to the results of the Model, we believe it's important to emphasize the Model is a reflection of a bighorn sheep making contact with an allotment. The Model does not in any way indicate risk of contact with domestic sheep nor does it reflect risk of disease transmission.

We also ask the Forest to provide all the scientific data collected prior to developing a range of alternatives or making any decisions impacting domestic sheep grazing. This data should include baseline data for bighorn sheep, Canada Lynx, grey wolf, or other sensitive species. We believe it is inappropriate to make any management decisions or changes, including additional terms and conditions on domestic sheep permits without comprehensive data. Should the Forest use research to support their recommendations, we insist the research is peer reviewed. We strongly oppose using "white papers" in lieu of peer reviewed science.

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This is also true when analyzing the impacts of domestic sheep grazing on designated wilderness areas. WDA asks the Forest to provide historical background information for domestic livestock grazing in these allotments as it predates the designation of the Wilderness Act of 1964 as well as the designation of the High Uintas Wilderness Area by act of Congress in 1984. Specifically WDA requests the Forest ensure upland and riparian vegetation trend data is included to make scientific based decisions regarding the allotments meeting Desired Conditions and compatibility of domestic livestock grazing in designated wilderness areas.

The Scoping notice indicates two possible alternatives: Proposed Action and No Action. The Proposed Action intends to evaluate 10 domestic sheep allotments for grazing and use of a sheep driveway. The No Action Alternative would not authorize grazing on the allotments.

WDA does not support the identified No Action Alternative. A No Action Alternative is typically equivalent to current management. Current management under the October 31, 2013 Settlement Agreement reads as follows: *"Pending completion of the new environmental analysis and decision-making processes, grazing may continue to occur on the allotments at issue under the terms and conditions of the existing grazing permits, and the challenged CE decisions will remain in effect."*

WDA insists the Forest defines "viability." WDA is concerned the term viability for sensitive plants and animals is ambiguous and interpreted differently between forest service staff, ranger districts, and regional forest offices. It is inappropriate for the Forest to require viability at the allotment scale. Also, the Forest must recognize the States of Utah and Wyoming, not the Forest Service or the US Fish and Wildlife Service have jurisdictional authority over state managed species. The Forest is tasked with managing habitat, not populations.

While the Forest may choose to implement the Model across Region 4 forests, with the intent of ensuring "viability" for bighorn sheep, the Model neglects to consider management actions on public and private lands outside of the forest service system. For this reason, WDA believes the Forest will greatly benefit from working cooperatively with adjoining landowners, permittees, and Cooperating Agencies to manage species such as bighorns cooperatively on a landscape scale, not on an allotment by allotment basis.

The Forest must analyze cumulative impacts beyond an individual permittee or allotment, but rather the domestic sheep industry as a whole. Removing domestic sheep from these allotments will not only cause significant economic impacts to the individual permittees, but also the communities in which they reside, as well as other domestic sheep producers across the West. The Payette National Forest Bighorn Sheep Viability Analysis and Forest Plan Amendment are prime examples of how a decision in one forest significantly affects other western forests.

We strongly support working closely with the grazing permittees and Cooperating Agencies to develop a Preferred Alternative. WDA reminds the Forest to utilize a broad range of management options, such as herding, guard dogs, topography, and season of use when developing the range of alternatives. We also urge the Forest to have and include comprehensive data and planning in place for the trailing of domestic sheep to these allotments. Trailing is a permitted use of forest lands. We caution the Forest from proceeding without adequate data and planning regarding trailing in the NEPA document.

Finally, as indicated, we have not seen the results of the Model, nor have we seen maps of vacant allotments, forage reserves, or closed allotments. We insist the Forest proactively consider all options, incorporating vacant allotments, forage reserves, closed allotments, and conversions as part of the Proposed Alternative. Consideration of these in

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the Proposed Alternative will ensure NEPA is comprehensive. We will not support a final decision contingent upon a separate NEPA analysis or decision.

We appreciate the opportunity to comment. WDA is confident we can work cooperatively to find solutions to ensure grazing continues on the High Uintas. Please feel free to contact us with questions or concerns.

Sincerely,

Stacia Berry
for Doug Miyamoto

Doug Miyamoto
Director

DM/jw

CC: Governor's Policy Office
Wyoming Board of Agriculture
Wyoming Stock Growers Association
Wyoming Wool Growers Association
Wyoming Farm Bureau Federation
Wyoming State Grazing Board
Wyoming Association of Conservation Districts
Wyoming Game and Fish Department
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Peter Orwick: American Sheep Industry
Ethan Lane: Public Lands Council
Utah Wool Growers Association